IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 29TH OCTOBER 2007 / 7TH KARTHIKA 1929

WP(C).No. 31694 of 2007(W)

PETITIONER:

DR.HAMLET, AGED 37,
S/O.ALFRED, SOMA VILASAM,
VELLIMON, KUNDARA, KOLLAM.

BY ADV. SRI.R.T.PRADEEP
SRI.V.VIJULAL

RESPONDENTS:

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1. **THE TAHSILDAR, TALUK OFFICE,**
   KOLLAM.

2. **THE VILLAGE OFFICER, PERINAD VILLAGE**
   OFFICE, PERINAD.

3. **THE KERALA PUBLIC SERVICE COMMISSION,**
   REPRESENTED BY ITS SECRETARY, OFFICE OF
   KERALA PUBLIC SERVICE COMMISSION,
   PATTOM, THIRUVANANTHAPURAM-4.

BY GOVERNMENT PLEADER SRI. BENJAMIN PAUL

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 29/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KSS

WPC.NO.31694/2007 W

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: **COPY OF EXTRACT OF ADMISSION REGISTER OF PETITIONER.**

EXT.P2: **COPY OF CERTIFICATE DTD. 23/08/07 BY UNIVERSITY OF KERALA.**

EXT.P3: **COPY OF REGISTRATION CERTIFICATE DTD. 23/05/07.**

EXT.P4: **COPY OF INTERVIEW MEMO DTD. 5/10/07.**

EXT.P5: **COPY OF CERTIFICATE DTD. 10/10/07.**

EXT.P6: **COPY OF CERTIFICATE DTD. 18/10/07.**

/TRUE COPY/

P.S.TO JUDGE

KSS

ANTONY DOMINIC, J.

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W.P.(C) No. 31694 OF 2007 W
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Dated this the 29th October, 2007

J U D G M E N T

The only prayer that is now made before me is that the respondents should be directed to issue a non-creamy layer certificate in the form prescribed for the said purpose.

2. According to the learned counsel for the petitioner, at the time of his interview with the P.S.C on 16-10-2007 when the certificate produced by him was not acceptable to the PSC, he made an application to the 2nd respondent for non-creamy layer certificate and that Ext. P6 is the certificate that was issued. He would submit that since Ext. P6 is not in the proper form, the said certificate was again unacceptable and hence this writ petition has been filed for directing the respondents to issue a certificate in the proper format.

3. I heard the counsel for the petitioner and the counsel for the respondents.

4. If as a matter of fact the petitioner has made

an application as stated by him, I see no justification for the failure to issue a certificate in the format if he is otherwise eligible for the same.

5. Therefore, I dispose of this writ petition directing that the respondents 1 and 2 shall consider the application stated to have been made by the petitioner for a non-creamy layer certificate, if the said application has been received before the issuance of Ext. P6 on 18-10-2007. If there was such an application, necessary enquiry shall be conducted and if the petitioner is found to be eligible, the certificate shall be issued within 2 weeks from today.

6. In the meantime, the 3rd respondent shall extend the time for production of the non-creamy layer certificate for a period of three weeks from today. If the petitioner is issued a certificate and produce the same as directed above his candidature will be considered by the 3rd respondent in accordance with his eligibility.

ANTONY DOMINIC
JUDGE

jan/-